

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am a joint inventor of the invention entitled:

**PROCESS FOR THE PRESERVATION OF FRESH  
QUALITY ATTRIBUTES OF PEELED,  
WHOLE AND PEELED, CUT KIWIFRUIT**

which is described and claimed in:

- the attached specification; or,  
 the specification in application Serial No. \_\_\_\_\_, filed \_\_\_\_\_  
\_\_\_\_\_, or,  
 as amended on \_\_\_\_\_; or,  
 PCT international application No. \_\_\_\_\_ filed \_\_\_\_\_,  
as amended under Article 19 on \_\_\_\_\_ and/or under  
Article 34 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge my duty to disclose information which is material to the patentability of this invention in accordance with Title 37, Code of Federal Regulations, §1.56(a).

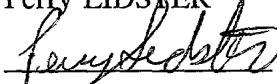
I hereby appoint the following attorney(s) and/or agent(s), with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Name	Regn. No.	Name	Regn. No.
Gerald O.S. Oyen	27,280	Thomas W. Bailey	36,411
Blake R. Wiggs	29,505	Gavin N. Manning	36,412
Bruce M. Green	30,524	George F. Kondor	40,477
David J. McGruder	32,375		

Please direct all telephone calls to Oyen Wiggs Green & Mutala at Tel. No. (604) 669-3432. Please direct all faxes to Oyen Wiggs Green & Mutala at Fax No. (604) 681-4081. Please address all correspondence to:

Oyen Wiggs Green & Mutala  
Suite 480 - The Station  
601 West Cordova Street  
Vancouver, British Columbia  
Canada V6B 1G1

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole  
or first Inventor: Perry LIDSTER  
  
Inventor's signature:  
Date: Oct 31 / 2001

Residence Address: 42326 Elizabeth Avenue  
Yarrow, British Columbia  
Canada V2R 5C9

Citizenship: Canadian

Mailing Address: Same as residence

Full name of  
second Inventor: Miriam O'DONOVAR  
  
Inventor's signature:  
Date: 31 Oct, 01

Residence Address: 2766 William Avenue  
North Vancouver, British Columbia  
Canada V7K 1Z5

Citizenship: Republic of Ireland

Mailing Address: Same as residence

Full name of  
third Inventor: Cheong Kit LEUNG  
  
Inventor's signature:  
Date: Oct 31 . 01

Residence Address: 1371 East 61st Avenue  
Vancouver, British Columbia  
Canada V5X 2C8

Citizenship: Canadian

Mailing Address: Same as residence

Full name of  
fourth Inventor: William D. POWRIE

Inventor's signature: William Powrie

Date: Oct. 31/01

Residence Address: 505 Ventura Court  
North Vancouver, British Columbia  
Canada V7N 3G8

Citizenship: Canadian

Mailing Address: Same as residence

Applicant or Patentee: Perry Lidster, Miriam O'Donovan, Cheong Kit Leung and William D. Powrie  
Serial or Patent No.: \_\_\_\_\_ Attorney's Docket No.: P112 0029

Filed or Issued: \_\_\_\_\_

For: PROCESS FOR THE PRESERVATION OF FRESH QUALITY ATTRIBUTES OF PEELED, WHOLE AND PEELED, CUT KIWIFRUIT

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 C.F.R. 1.9(f) and 1.27(b)) -- INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled PROCESS FOR THE PRESERVATION OF FRESH QUALITY ATTRIBUTES OF PEELED, WHOLE AND PEELED, CUT KIWIFRUIT described in:

the specification filed herewith

application Serial No. \_\_\_\_\_ filed \_\_\_\_\_  
 Patent No. \_\_\_\_\_ issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed, and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a non-profit organization under 37 C.F.R. 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey or license, any rights in the invention is listed below:

no such person, concern or organization

persons, concerns or organizations listed below\*

\* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)

FULL NAME Pacific Rim Marketing Limited

ADDRESS Suite 104, 334 East Kent Avenue South, Vancouver, B. C., Canada V5X 4N6

Individual  Small Business Concern  Non Profit Organization

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

Individual  Small Business Concern  Non Profit Organization

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

Individual  Small Business Concern  Non Profit Organization

I acknowledge my duty to file, in this application, or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Perry Lidster

Name of Inventor

Perry Lidster

Inventor's Signature

Miriam O'Donovan

Name of Inventor

Miriam O'Donovan

Inventor's Signature

Cheong Kit Leung

Name of Inventor

Cheong Kit Leung

Inventor's Signature

25/10/01

Date

25/10/01

Date

Oct 25. 01

Date

William D. Powrie

Name of Inventor

Name of Inventor

Name of Inventor

*William D. Powrie*

Inventor's Signature

Inventor's Signature

Inventor's Signature

*Oct. 25, 2001*

Date

Date

RECORDED IN THE OFFICE OF THE CLERK  
OF THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Applicant or Patentee: Perry Lidster, Mirian O'Donovan, Cheong Kit Leung and William D. Powrie

Serial or Patent No.: \_\_\_\_\_ Attorney's Docket No.: P112 0029

Filed or Issued:

For: PROCESS FOR THE PRESERVATION OF FRESH QUALITY ATTRIBUTES OF PEELED, WHOLE AND PEELED, CUT KIWIFRUIT

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 C.F.R. 1.9(f) and 1.27(c)) -- SMALL BUSINESS CONCERN**

I hereby declare that I am

- the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Pacific Rim Marketing Limited

ADDRESS OF CONCERN Suite 104, 334 East Kent Avenue South, Vancouver, B. C., Canada V5X 4N6

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. 121.3-18, and reproduced in 37 C.F.R. 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office, in that the number of employees of the business concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled PROCESS FOR THE PRESERVATION OF FRESH QUALITY ATTRIBUTES OF PEELED, WHOLE AND PEELED, CUT KIWIFRUIT by inventor(s) Perry Lidster, Miriam O'Donovan, Cheong Kit Leung and William D. Powrie described in:

the specification filed herewith

application Serial No. \_\_\_\_\_ filed \_\_\_\_\_

Patent No. \_\_\_\_\_ issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. 1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a non-profit organization under 37 C.F.R. 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

Individual  Small Business Concern  Non Profit Organization

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

Individual  Small Business Concern  Non Profit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING R.W. ROBINSON

TITLE OF PERSON OTHER THAN OWNER CORPORATE SECRETARY

ADDRESS OF PERSON SIGNING #104 - 334 EAST KENT AVENUE SOUTH, VANCOUVER, BC, V5X 4N6

SIGNATURE R.W. Robinson DATE October 31, 2001